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Typed or Printed Name of Person Mailing Paper or Fee

Signature:

*Linda M. West*

#5

PATENT

Docket No. P1665WOUS

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: ANDREW JAMES GALLANT

SERIAL NO: 10/518,737

EXAMINER: TO BE ASSIGNED

FILED: DECEMBER 16, 2004

ART UNIT: TO BE ASSIGNED

TITLE: A MICRO-ELECTROMECHANICAL  
VARIABLE CAPACITOR

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

In connection with the above-referenced patent application, transmitted herewith are the following:

1. Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)(2 pages);
2. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pages);
3. Substitute Specification, Claims and Abstract (13 pages);
4. Preliminary Amendment specifically stating changes to Claims; (6 pages);
5. Declaration and Power of Attorney (2 pages);
6. Check No. 7279 in the amount of \$980.00; and
7. Post card in acknowledgment of receipt of all transmitted materials.

Please date-stamp the enclosed post card and return same to the undersigned in acknowledgment of receipt of all transmitted materials.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'F. David LaRiviere', written over a horizontal line.

F. David LaRiviere  
Reg. No. 27,207

FDL/rm  
July 28, 2005  
LARIVIERE, GRUBMAN & PAYNE, LLP  
P. O. Box 3140  
Monterey, CA 93942  
(831) 649-8800



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RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)

FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
FEE CODE	VALUE CURRENCY
1632	500
1642	400

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/elected Office (DO/EO/US) dated June 7, 2005, transmitted herewith are the following:

1. Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)(2 pages);
2. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pages);
3. Substitute Specification, Claims and Abstract (13 pages);
4. Preliminary Amendment specifically stating changes to Claims; (6 pages);
5. Declaration and Power of Attorney (2 pages);
6. Check No. 7279 in the amount of \$980.00; and
7. Post card in acknowledgment of receipt of all transmitted materials.

Refund Ref: 08/15/2005 AJOHNS02 0000146516

CHECK Refund total: \$100.00

## REMARKS

The Declaration and Power of Attorney is submitted pursuant to Section 3(c) of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).


The Substitute Specification and Preliminary Amendment are submitted pursuant to, our telephone conversation with and resulting instructions from Ms. Anita D. Johnson of the U.S. Patent and Trademark Office on June 16, 2005.

Our check in the amount of \$880.00 is submitted herewith as payment in full of the following amended fees pursuant to our telephone conversation with Ms. Anita D. Johnson of the U.S. Patent and Trademark Office on June 16, 2005:

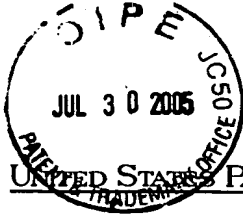
Examination Fee:	\$200.00
Search Fee:	\$500.00
Extra claims fee (3 claims over 20)	\$150.00
Late Surcharge	<u>\$130.00</u>
Total fees due	\$980.00

Please date-stamp the enclosed post card and return same to the undersigned in acknowledgment of receipt of all transmitted materials.

Respectfully submitted,

  
F. David LaRiviere  
Reg. No. 27,207

FDL/rm  
July 28, 2005  
LARIVIERE, GRUBMAN & PAYNE, LLP  
P. O. Box 3140  
Monterey, CA 93942  
(831) 649-8800



08-01-05

PCT#

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/518,737	Andrew James Gallant	P1665WOUS

INTERNATIONAL APPLICATION NO.

PCT/GB03/02495

I.A. FILING DATE

06/09/2003

PRIORITY DATE

06/19/2002

LaRiviere Grubman & Payne  
 P O Box 3140  
 Monterey, CA 93942-3140

CONFIRMATION NO. 1314  
 371 FORMALITIES LETTER  
 \*OC000000016214034\*  
 \*OC000000016214034\*

Date Mailed: 06/07/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/16/2004
- Copy of the International Search Report filed on 12/16/2004
- Information Disclosure Statements filed on 12/16/2004
- Request for Immediate Examination filed on 12/16/2004
- U.S. Basic National Fees filed on 12/16/2004
- Priority Documents filed on 12/16/2004

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$1310** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$2040** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
  - The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee.
  - The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity
- Total additional claim fee(s) for this application is **\$ 1310**
  - **\$200** for 1 independent claims over 3.
  - **\$750** for 15 total claims over 20.
  - **\$360** for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/518,737	PCT/GB03/02495	P1665WOUS